

**REMARKS**

***Amendment summary***

Claim 4 is amended to incorporate subject matter from claims 17-18, 20, and 22. In addition, claim 4 is amended to recite that the protruding portion is formed by molding processing in at least a portion of the dissolution liquid reservoir. Support for this aspect of the amendment may be found at least, e.g., at page 37, lines 4-6 of the present specification.

Claims 17-18 and 21 are canceled.

The dependencies of claims 19, 20, and 22 are amended as a result of the amendment to claim 4.

No new matter is added by this Amendment, and Applicant respectfully requests entry of this Amendment.

***Response to rejection of claims 4-5, 9-14, 17, 18 and 23 under 35 U.S.C. § 102 based on Konno***

Claims 4-5, 9-14, 17-18, and 23 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Konno (U.S. Patent No. 4,842,577). Applicant respectfully traverses. As noted above, the subject matter from claims 20 and 22, which were not rejected under this heading, has been incorporated into independent claim 4. Applicant therefore respectfully requests the reconsideration and withdrawal of this rejection.

***Response to rejection of claims 19-22 under 35 U.S.C. § 103 based on Konno in view of Takahashi***

Claims 19-22 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Konno in view of Takahashi (U.S. Patent No. 6,329,465). Applicant respectfully traverses.

Claim 4 recites an iontophoresis device activated in use comprising: a drug-containing layer containing a dry drug; an absorber disposed on said drug-containing layer and formed of a material capable of absorbing a liquid; a wall material disposed around said absorber, having an adhesive layer on the undersurface thereof; a support disposed on said absorber and said wall material, having an opening in the central portion thereof; an electrode disposed on the undersurface of said support; a diaphragm disposed on said support; and a dissolution liquid reservoir disposed on said diaphragm, retaining a dissolution liquid for dissolving said drug between said diaphragm and itself, and having a protruding portion for destroying said diaphragm by pressing force. The dissolution liquid reservoir is formed by processing of a sheet material, the protruding portion being formed by molding processing in at least a portion of said dissolution liquid reservoir. In addition, the sheet material is a laminated film consisting of a cyclic polyolefin copolymer film and a polyolefin film, or a laminated film consisting of a fluorocarbon resin film and a polyolefin film. The sheet material also has a water vapor permeability of  $0.22 \text{ g/m}^2\cdot 24 \text{ hr}$  or less and has a thickness of between about 250 and about 350  $\mu\text{m}$ .

The advantages of the presently claimed invention are discussed on pages 40-44 of the present specification, in particular in Examples 1 to 3 as shown in Table 1 and Table 2. Table 1 shows that both the processability and diaphragm-breaking ability of the protruding portion were

favorable in Example 1 (PE/COC/PE, 350  $\mu\text{m}$  thickness, 0.22  $\text{g}/\text{m}^2\cdot 24$  hr water vapor permeability), Example 2 (PP/PCTFE, 300  $\mu\text{m}$  thickness, 0.11  $\text{g}/\text{m}^2\cdot 24$  hr water vapor permeability), and Example 3 (PP/PCTFE, 250  $\mu\text{m}$  thickness, 0.14  $\text{g}/\text{m}^2\cdot 24$  hr water vapor permeability), and Table 2 shows that the containers of Examples 1 and 2 are suitable for a long-term conservation.

Applicant respectfully submits that the presently claimed invention is not disclosed or suggested by the cited art, whose broad disclosures would not provide a specific reason for a person having ordinary skill in the art to make the particular selections necessary to arrive at the presently claimed invention.

Further, Applicant respectfully submits that the unexpected results obtained by the presently claimed invention, as reported in the present specification as discussed above, render the presently claimed invention patentable over the cited references. Neither Konno nor Takahashi disclose or suggest the above improved processability and diaphragm-breaking ability of the protruding portion demonstrated by Examples 1-3.

Accordingly, Applicant respectfully submits that the presently claimed invention is not rendered obvious by the cited references, and respectfully requests the reconsideration and withdrawal of this rejection.

***Response to provisional obviousness-type double patenting rejection of claims 4-5, 9-14, and 17-23***

Claims 4-5, 9-14, and 17-23 have been provisionally rejected on the grounds of obviousness-type double patenting over copending Application No. 10/584,172. Applicant

respectfully notes that the '172 Application is abandoned, and respectfully submits that this provisional rejection has been rendered moot.

***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Travis B. Ribar /

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